

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

JOE D. WILLIAMS, et. ux.
SANDRA L. WILLIAMS,

Plaintiffs,

v.

No. 1:11-cv-01103-JDB-egb

ANDREW S. RUDIN, M.D.,

Defendant.

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

On June 1, 2012, the Clerk declared Defendant, Andrew S. Rudin, M.D., to be in default pursuant to Federal Rule of Civil Procedure 55(a) after having been served with a summons and complaint on April 13, 2012, and not filing a timely answer. (Docket Entry ("D.E.") No. 15.) Plaintiffs, Joe D. Williams and Sandra Williams, then moved for a default judgment pursuant to Rule 55(b)(2), which the Court referred to United States Magistrate Judge Edward G. Bryant for a report and recommendation. (D.E. No. 24.) The magistrate judge held a hearing on July 20, 2012, to determine the amount of damages to be awarded. On July 31, 2012, Judge Bryant issued a report and recommendation, finding that Plaintiff Joe D. Williams should be awarded \$690,909 in medical bills, \$182,000 in loss of income, and \$500,000 for pain and suffering, and that \$250,000 should be awarded to Plaintiff Sandra Williams for loss of consortium. (D.E. No. 33.) According to the Court's docket, no objections to the magistrate judge's report and recommendation have been filed pursuant to 28 U.S.C. § 636(b)(1)(C), and the time for filing objections has passed. See Fed. R. Civ. P. 72(b).

After a review of the magistrate judge's report and recommendation, the Court ADOPTS

Judge Bryant's findings and recommendations, and Plaintiff's motion for default judgment is GRANTED. Judgment shall be entered for Plaintiff Joe D. Williams in the amount of \$1,372,909 in compensatory damages and for Plaintiff Sandra L. Williams in the amount of \$250,000.

IT IS SO ORDERED this 16th day of August, 2012.

s/ J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE